

**MATRIX FOR LEGAL AUTHORITIES FOR THE STORMWATER ORDINANCE  
EXCLUDING BUFFERS, GREENWAYS & WATERSHED OVERLAY ZONES**

Issue	Current Ordinance	Proposed Ordinance	Model Ordinance	State Requirements
<b>Permit Requirement</b> Page 3: 7-12-2-1(a)6-7 – <i>Applicability; Exemptions</i> Also see permit plan requirements on page 8. Disturbance of less than 10,000 square feet of disturbance requires a “sketch plan” that does not require a licensed professional’s seal.	> 0 sq ft	> 500 sq ft or within 50 feet of a regulated stream.	1 acre < 1 acre if part of common plan of development or sale. (p.11)	1 acre < 1 acre if part of a common plan of development or sale. (143-217.7 (p.277))
<b>Maximum limits of disturbance at one time</b> Page 17: 7-12-2-1(e)(2)(i) – <i>Allowable Disturbances</i>	5 acres plus Stormwater Administrator may grant additional unlimited acres	5 acres plus Stormwater Administrator may grant up to 20 acres (additional requirements must be met).	None	No specific requirement
<b>Private Inspections</b> Page 26-28: 7-12-2-1(g) – <i>Inspections and Investigations</i>	Initial-PE,RLA Weekly-PD,RLA	Initial-PE/RLA Weekly-PE/RLA. or Certified Inspector.	Whatever is reasonable (p.38)	No specific requirement
<b>Security for revegetation</b> Page 17: 7-12-2-1(e)(2)(i)(3) - <i>Security for Re-Vegetation</i>	Required if > 1 acre	Required if > 5 acres	Security for BMP’s (pp.38-39)	No specific requirement
<b>Immediate Penalties w/ flexibility</b> Page 30: 7-12-2-1(i) - <i>Enforcement</i>	No	Yes	Recommends agreed upon penalties for certain type violations (p.45)	No specific requirement
<b>3-Step Internal Appeal</b> Pages 34-35: 7-12-2-1(j)(3) - <i>Appeals</i>	No	Yes	No-only to Board. Of Adjustment. (p.25)	No specific requirement
<b>Duties of Stormwater Administrator</b> Pages 4-5: 7-12-2-1(b)1-3 See also Page 6: 7-12-2-1(c)(2)(e) - <i>Prerequisites to Issuance of a Permit</i> Page 7: 7-12-2-1(c)(2)(g) - <i>Extensions</i> Page 8: 7-12-2-1(c)(4)(f) - <i>Review of the Design Plan by Other Agencies</i> Page 8: 7-12-2-1(c)(5)(a) - <i>Preconstruction Conference</i> Page 9: 7-12-2-1(c)(5)(e) - <i>Other Disapproval;</i> Page 10: 7-12-2-1(c)(5)(j) – <i>Amendment to Plan</i> Page 10: 7-12-2-1(c)(6) (b) - <i>Revised Permit Application</i> Page 12: 7-12-2-1(e)(2)(a) - <i>Mandatory Standards for Land Disturbing Activity</i> Page 13: 7-12-2-1(e)(e)(b)- <i>Reduction of Excess Post-Construction Aquatic Buffer</i>	Broad and standardless	Broad w/ guidelines	Broad and standardless	SE-Broad (113A-60) SW-Broad (G.S. 143-214.7)